

ADAMS EVANS P.A.
INTELLECTUAL PROPERTY ATTORNEYS2180 Two Wachovia Center
301 South Tryon Street
Charlotte, North Carolina 28282-1991
Telephone: (704) 375-9249
Facsimile: (704) 375-0729**RECEIVED**
CENTRAL FAX CENTER**MAY 16 2005**W. THAD ADAMS, III
J. SCOTT EVANS
STEPHEN S. ASHLEY, JR.
MATTHEW J. LADENHEIM
JONATHAN M. HINES
BRANDON C. TREGO
KATHRYN A. GROMLOVITS
SETH L. HUDSONPATENTS
TRADEMARKS
COPYRIGHTS
UNFAIR COMPETITION
TRADE SECRETS
INTERNET LAW**FACSIMILE TRANSMISSION**

TO: Examiner Derrick G. Hamlin **DATE:** May 16, 2005
Art Unit 1751

FROM: Stephen S. Ashley, Jr. **FACSIMILE NO:** (703) 872-9306
Reg. No. 47,394

RE: **Our File No. 3216/1; U.S. Patent Application Serial No. 10/799,081 for**
"FUEL CELL STACK COOLANT COMPOSITION"

CONFIRMATION COPY
TO FOLLOW:YES _____ NO ☒**NUMBER OF PAGES:** Cover + 16**MESSAGE:** Please see the Response for U.S. Serial No. 10/799,081 filed in
reply to Office Action dated 12/16/2004.**Also, please confirm receipt of this facsimile. Thank you.**

If any problems in transmission occur, please contact Cecilia M. Sidebottom, Legal Assistant.

CONFIDENTIALITY NOTICETHIS FACSIMILE TRANSMISSION AND ANY ATTACHMENTS MAY CONTAIN CONFIDENTIAL
INFORMATION BELONGING TO THE SENDER WHICH IS PROTECTED BY THE ATTORNEY-CLIENT
PRIVILEGE AND/OR ATTORNEY WORK PRODUCT IMMUNITY. THE INFORMATION IS INTENDED ONLY
FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU
ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY
ACTION IN RELIANCE ON THE CONTENTS OF THIS INFORMATION IS STRICTLY PROHIBITED. IF YOU
HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE
TO ARRANGE FOR RETURN OF THE DOCUMENTS AT OUR EXPENSE.

PTO/SB/21 (09-04)

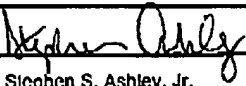
Approved for use through 07/31/2006. OMB 0651-0031

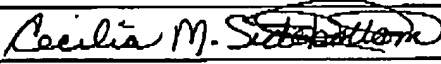
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/769,081	
	Filing Date	03/12/2004	
	First Named Inventor	ABE, Saburo	
	Art Unit	1751	
	Examiner Name	Hamlin, D.	
Total Number of Pages in This Submission	17	Attorney Docket Number	3216/1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Statements under 37 CFR 3.73(b) for Nissan Motor Co. and Shishia-Kabushikigaisha; Facsimile Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	If there are any additional fees due in connection with this matter, please charge Deposit Acct. No. 01-0265.	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	ADAMS EVANS P.A.	
Signature		
Printed name	Stephen S. Ashley, Jr.	
Date	05/16/2005	Reg. No. 47,394

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Cecilia M. Sidebottom	Date 05/16/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
450**Complete if Known**

Application Number 10/799,081

Filing Date 03/12/2004

First Named Inventor ABE, Saburo

Examiner Name Hamlin, D.

Art Unit 1751

Attorney Docket No. 3216/1

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 01-0265 Deposit Account Name: Adams Evans P.A.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
-----	-----

Multiple dependent claims

360	180
-----	-----

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP = $\frac{\text{Total Claims} - 20}{\text{Extra Claims}} \times \text{Fee} = \text{Fee Paid}$

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP = $\frac{\text{Indep. Claims} - 3}{\text{Extra Claims}} \times \text{Fee} = \text{Fee Paid}$

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 = $\frac{\text{Total Sheets} - 100}{50} \times \text{Fee} = \text{Fee Paid}$ (round up to a whole number)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Two Month Extension of Time

450

SUBMITTED BYSignature Registration No. 47,394
(Attorney/Agent)

Telephone 704-375-9249

Name (Print/Type) Stephen S. Ashley, Jr.

Date 05/16/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10,799,081
Applicant : ABE, Saburou et al.
Filed : 03/12/2004
Title : FUEL CELL STACK COOLANT COMPOSITION
TC/A.U. : 1751
Examiner : HAMLIN, Derrick G.
Docket No. : 3216/1
Customer No. : 23638

RECEIVED
CENTRAL FAX CENTER
MAY 16 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office action mailed December 16, 2004, please amend the above-identified application as follows:

Amendments to the Specification are not being submitted at this time.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Amendments to the Drawings are not included with this Preliminary Amendment with confirmation of same on page 7.

Remarks/Arguments begin on page 8 of this paper.